

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARK S. FRAZIER	:	CIVIL ACTION
<i>Plaintiff</i>	:	
	:	
v.	:	
	:	
THE STATE OF PENN,	:	NO. 17-4597
THE CITY OF PHILA.	:	
<i>Defendants</i>	:	
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U.S. MARK S. FRAZIER	:	CIVIL ACTION
<i>Plaintiff</i>	:	
	:	
v.	:	
	:	
CITY OF PHILADELPHIA	:	NO. 17-5361
THE COMMONWEALTH OF PA.	:	
<i>Defendants</i>	:	

O R D E R

AND NOW, this 5th day of December, 2017, upon consideration of Mr. Frazier's amended complaint in Civil Action Number 17-4597 [ECF 5], and his motion to proceed *in forma pauperis* therein, and his complaint in Civil Action Number 17-5361 [ECF 1 & 1-1], it is

ORDERED that:

1. The motion to proceed *in forma pauperis* is **GRANTED**.
2. In accordance with this Court's Memorandum and pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), the complaints are **DISMISSED** for failure to state a claim. The dismissal of Mr. Frazier's complaints is without prejudice to him filing an amended complaint in 17-4597 in accordance with Paragraph three (3) of this order.

3. Mr. Frazier is given leave to file an amended complaint within thirty (30) days of the date of this Order in the event he can cure the deficiencies in his complaint. If Mr. Frazier files an amended complaint, he should identify all of the defendants in the caption of the amended complaint in addition to the body of the amended complaint, and describe how each defendant was responsible for violating his rights. The amended complaint must provide enough factual detail so that the Court can understand the events and circumstances giving rise to Mr. Frazier's claims. Any amended complaint should be filed *only* in Civil Action No. 17-4597. Upon the filing of an amended complaint, the Clerk of Court shall not make service until so ORDERED by the Court.

4. The Clerk of Court shall furnish Mr. Frazier with a blank copy of this Court's current standard form to be used by a *pro se* litigant filing a civil action bearing the civil action number 17-4597.

5. The Clerk of Court shall **CLOSE** Civil Action 17-5361.

6. If Mr. Frazier fails to comply with this order, his case may be dismissed, without further notice, for failure to prosecute.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court